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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 7 September 2018 from the Permanent Mission of Australia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Australia to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to transmit herewith up-to-date information regarding Australia's implementation of resolution 1540 (2004) (see annex) in response to the note verbale dated 14 August 2018 from the Chair of the Committee.

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Annex to the note verbale dated 7 September 2018 from the Permanent Mission of Australia to the United Nations addressed to the Chair of the Committee

Report of Australia on the implementation of Security Council resolution 1540 (2004)

Australia is a strong supporter of Security Council resolution 1540 (2004), which remains a centrepiece of the international non-proliferation regime. In its *2017 Foreign Policy White Paper*, Australia underlines its commitment to countering the proliferation of weapons of mass destruction and strengthening the norms against the use of biological, chemical and nuclear weapons.

Security Council resolution 1540 (2004) — and the important work of the Security Council Committee established pursuant to resolution 1540 (2004) — has helped to mobilize resources and expertise to assist States around the globe in strengthening national practices and implementation measures.

Australia continues to implement resolution 1540 (2004) through:

(a) Legislative action — for example, the Australian Government has passed 12 tranches of terrorism-related legislation since 2014, when the country's national terrorism threat level was raised to "probable";

(b) Strong implementation and enforcement of national controls on exports of materials and technologies related to weapons of mass destruction;

(c) A national security hotline, where members of the Australian community are encouraged to report suspicious behaviour;

(d) Support for international treaties, including the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the prohibitions and provisions of which are enacted into Australian law;

(e) Active membership in major international export control regimes, including as the permanent Chair and secretariat of the Australia Group;

(f) Active membership in the Proliferation Security Initiative;

(g) Regularly conducting and contributing to international events that support the implementation of resolution 1540 (2004);

(h) Technical assistance and cooperation with other States, particularly with countries in the region.

The Australia-New Zealand Counter-Terrorism Committee maintains the national counter-terrorism plan and comprises representatives from the Australian and New Zealand Governments, as well as from Australian state and territory governments. The Committee provides expert strategic and policy advice to Heads of Government and other relevant ministers and coordinates an effective nation-wide counter-terrorism effort, including the capability and arrangements to respond to a chemical, biological, radiological or nuclear incident.

Its role as the permanent Chair of the Australia Group chemical and biological weapons export control regime is one of the many ways in which Australia meets its obligations under resolution 1540 (2004). Through the harmonization of export

controls, the Group seeks to ensure that exports do not contribute to the development of chemical and biological weapons.

Australia also supports resolution 1540 (2004) through its active participation in the Proliferation Security Initiative, a practical measure that builds both regional and domestic capability to disrupt and prevent the spread of weapons of mass destruction, their delivery systems and related materials. Australia participates in annual exercises, meetings and events of the Initiative. It has also provided military assets for enforcement of the resolution.

In September 2017, Australia hosted the annual Asia-Pacific exercise rotation event of the Proliferation Security Initiative, entitled the "Exercise Pacific Protector 17", with approximately 450 delegates from 21 countries. Demonstrating their commitment to working together to combat the threat posed by the proliferation of weapons of mass destruction in the Asia-Pacific region, partners of this rotation (Australia, Japan, New Zealand, Republic of Korea, Singapore and United States of America) have agreed to a formalized annual exercise rotation, hosted in the region. The event hosted by Australia included sessions focused on scholarly discussions, a tabletop exercise, a live exercise, a port exercise and demonstration and a knowledge exchange programme.

The Government's national export control policies reflect its commitment to ensuring that the export of defence materials and dual-use goods is consistent with its international obligations and commitments, including resolution 1540 (2004). More information on such export controls can be found at www.defence.gov.au/ExportControls/Policy.asp.

Australia has also addressed the possibility of intangible transfer of proliferation-sensitive technology to non-State actors. The Defence Trade Controls Act 2012, which was amended by the Defence Trade Controls Amendment Act 2015, regulates the intangible supply of technology relating to defence materials and strategic goods, such as supply though electronic means, and regulates the brokering of defence materials, strategic goods and related technology.

Australia has also implemented national measures to secure stocks of weapons and/or their precursors.

- The state and territory governments of Australia have well-established legal and regulatory frameworks to prevent materials of security concern from falling into the wrong hands.
- Those frameworks are further enhanced through the country's National Code of Practice for Chemicals of Security Concern, a programme established in 2008 by the Council of Australian Governments in partnership with industry actors to reduce the risk of chemicals being used for terrorist purposes. The objective of the Code is to promote effective chemical security management practices throughout the chemical supply chain by encouraging companies and individuals who manage or handle chemicals of security concern to consider the risk of terrorism in their security planning processes. The Code, available at www.nationalsecurity.gov.au, provides guidance and information on a range of practical security measures that businesses and individuals can adopt.
- The Australian Government and industry actors have worked together to develop guidance for businesses to help them to better understand the risks of chemical terrorism.

Australia also regulates security sensitive biological agents.

- The regulatory scheme for security sensitive biological agents monitors and regulates entities and facilities that handle biological agents of security concern.

The scheme sets out the requirements for handling (including storage), risk and incident management, transport, information management, personnel security and inactivation and decontamination of these agents.

- More information on the scheme can be found at www.health.gov.au\ssba.

International cooperation in the implementation of resolution 1540 (2004)

Australia was a founding member of the Group of Friends of resolution 1540 (2004), established in 2016, and continues to attend meetings of the Group. It provided input to the comprehensive review of the status of implementation of resolution 1540 (2004) in 2016 and participated actively in open debates. Australian representatives have also given presentations at training courses for points of contact for resolution 1540 (2004).

Australia has continued to provide technical support to the Expert Group of the Committee established pursuant to resolution 1540 (2004), the Organisation for the Prohibition of Chemical Weapons, the International Atomic Energy Agency and the Global Initiative to Counter Nuclear Terrorism. Two Australian technical experts were sent to participate in the meetings of experts on the Biological Weapons Convention held in August 2018. Australia sponsors the attendance of participants eligible for overseas development assistance at a range of non-proliferation and counterproliferation meetings, workshops and events.

Australia was a strong supporter of the statement on non-proliferation adopted by Heads of State and Government at the 2016 East Asia Summit, which reaffirmed the commitment of the countries participating in the Summit to fully implement resolution 1540 (2004) in order to prevent non-State actors from developing, acquiring, manufacturing, possessing, transporting, transferring or using weapons of mass destruction and their means of delivery.

Australia co-hosted with Thailand an East Asia Summit seminar on non-proliferation in the Indo-Pacific region in Melbourne in October 2017. The seminar included sessions on the non-proliferation of weapons of mass destruction, resolution 1540 (2004) and the Proliferation Security Initiative.

Australia is a co-sponsor of the 2016 Nuclear Security Summit joint statement on promoting the full and universal implementation of resolution 1540 (2004), available at www.nss2016.org/document-center-docs/2016/4/1/joint-statement-on-1540-committee, and the action plan in support of the United Nations, which gives support to specific actions with regard to resolution 1540 (2004) (available at www.nss2016.org/s/Action-Plan-UN_FINAL.pdf).

The transnational nature of money laundering, the financing of weapons of mass destruction and the financing of terrorism require a coordinated global response. The Australian Government has invested $A 5.5 million from the proceeds of crime to establish an international financial intelligence and regulatory programme to enhance global financial intelligence collection. To strengthen its defences against the threats of foreign money laundering and terrorism financing, Australia is working to increase the operational capability of its regional partners.

As Chair of the Australia Group, Australia has submitted to the Biological Weapons Convention Implementation Support Unit an offer of assistance, on behalf of the membership of the Group, enabling States parties to the Convention to request assistance from the members of the Group on implementing export controls for the transfer of chemical and biological substances.

In February 2017, the Australia Group hosted a dialogue and outreach event for Latin American countries. In March 2018, the Group held a dialogue and outreach

event for African countries. These dialogues reaffirmed the commitment of the Group to non-proliferation and to the securing of sensitive materials against any attempts to use them to build biological and chemical weapons. The dialogues highlighted the importance of being able to respond to the dynamic challenges that the world faces. Cooperation at the global, regional and subregional levels is needed for effective control of dual-use goods. Dialogues present an important opportunity for the Group to extend its coordinated export control regime and build support for global counterproliferation efforts.

In addition to the above-mentioned dialogues, in 2016 and 2017 the Australia Group conducted various dialogue and capacity-building activities with Kazakhstan, Malaysia, Myanmar, Serbia, Venezuela (Bolivarian Republic of), Viet Nam, Hong Kong, China, and Taiwan Province of China. As Chair and an active member of the Group, Australia continues to collaborate with its international partners on export controls.

Australia is a strong supporter of the operational capabilities of the Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons through the nomination of experts and laboratories to the roster of the Office for Disarmament Affairs of the Secretariat. To strengthen the response capacity in the Asia-Pacific region, Australia hosted the first regional skills training course on the Mechanism, held in October 2016 in Canberra, in collaboration with the Office for Disarmament Affairs, the Australian Department of Defence and Department of Foreign Affairs and Trade and the Australian Federal Police. Sixteen experts from Australia, China, New Zealand, the Philippines, the Republic of Korea, the Russian Federation, South Africa and Thailand participated. The focus of the course was on investigating the alleged use of a biological weapon. Australian representatives have also participated in other training courses on the Mechanism. Australia considers that the Mechanism has a deterrent effect that contributes to the implementation of resolution 1540 (2004).

Australia continues to participate in international and national counter-terrorism and counterproliferation capability-building exercises and training programmes on chemical, biological and radiological security. This includes the delivery of a quality assurance programme to enhance laboratory capacity and capability to test for biological agents of security concern within Australia and in other specified overseas laboratories.

Australia supported a range of activities in 2017 and 2018 that reinforced its commitment to implementing resolution 1540 (2004). The following is a sample of relevant activities.

- Australia gave a presentation on resolution 1540 (2004) and the Proliferation Security Initiative at the Asian senior-level talks on non-proliferation hosted by Japan in 2017 and 2018.
- It gave a presentation at the Asian Export Control Seminar hosted by Japan in 2017 and 2018.
- In addition to hosting its fourth Proliferation Security Initiative exercise, in 2017, Australia has participated in every annual Asia-Pacific exercise.
- Australia contributed to two stakeholder forums on enacting national legislation to implement the Convention on Chemical Weapons.
- It shared its experiences with chemical safety and security and its chemical countermeasures programme.
- Australia co-funded the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific workshop on countering bioterrorism,

entitled "Beyond the 2016 comprehensive review: tackling the challenges to the implementation of resolution 1540 (2004) for ASEAN member States".

- Australia also participated in a workshop on promoting the effective implementation of resolution 1540 (2004) in the context of evolving proliferation risks and challenges, held in Ukraine.
- In July 2017 in Thailand, Australia participated in an inaugural consortium on trade control on items related to weapons of mass destruction and in a conference on chemical security.
- Australia participated in the World Organization for Animal Health ad hoc group developing guidelines for the investigation of suspicious biological events, as well as the organization's Global Conference on Biological Threat Reduction.
- Australia co-funded and participated in a workshop on biosafety and security, including on tangible and intangible technology transfers, co-hosted by the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and the Government of Thailand and held in Bangkok in 2017.
- Australia participated in workshops on monitoring during a nuclear or radiological emergency and training on building capacities for nuclear security.
- Australia contributed to international efforts to address proliferation financing, including through the Financial Action Task Force.
- The head of the Australia Group secretariat participated in a conference on export controls in Pakistan in May 2018.
- Australia chaired the plenary meeting of the Australia Group in June 2017 and June 2018.